

MINUTES

CIVIL SERVICE COMMISSION MEETING

Wednesday, September 12, 2007, at 9:30 a.m.

522 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

9:30 A.M. CLOSED SESSION

- Consideration of public employee discipline/dismissal/release cases listed on agenda pursuant to Government Code Section 54957.
CONVENED THE MEETING AT 9:30 A.M. AND WENT INTO CLOSED SESSION AT 9:31 A.M.
-

10:00 A.M. AGENDA

RECONVENED THE MEETING AT 10:02 A.M.

COMMISSIONERS PRESENT: ADKINS, FOX, KAHWAJIAN, MARTINEZ
COMMISSIONER ABSENT: FELTON

Minutes of the meeting of Wednesday, September 5, 2007, for approval
APPROVED.

Unfinished Business

1. Proposed decision to be rendered in the **discharge**, effective July 31, 2006, of **SANDRA N. CASTILLO (Case No. 06-325)**, from the position of Patient Resources Worker, Department of Health Services, LAC+USC Medical Center (Hearing Officer: Judy Gust).
ANNOUNCED AS THE PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE RECOMMENDATION OF THE HEARING OFFICER TO DEEM THE APPEAL WITHDRAWN PURSUANT TO CIVIL SERVICE RULE 4.08(B).

Unfinished Business (continued)

2. Findings are submitted not sustaining the department in the ten (10) day **suspension**, effective May 1, 2006, of **ANNA BANKS (Case No. 06-180)**, from the position of Supervising Staff Nurse I, Department of Health Services, Martin Luther King, Jr./Drew Medical Center, and department's objections thereto (Hearing Officer: Charles J. Post).
OBJECTIONS OVERRULED. ADOPTED, AS CONSTITUTING THE FINAL DECISION OF THE COMMISSION, THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER TO NOT SUSTAIN THE DEPARTMENT AND MAKE THE APPELLANT WHOLE FOR LOST PAY AND BENEFITS.

3. Communication received from **LYNNEL HINES (Case No. 06-324)** withdrawing the appeal of her **discharge**, effective August 10, 2006, from the position of Intermediate Typist Clerk, Department of Health Services, Martin Luther King, Jr./Drew Medical Center. Request to cancel hearing pending in this matter.
RECEIVED AND FILED – HEARING CANCELLED.

4. Communication received from Russell J. Cole, attorney for the appellant, withdrawing the appeal of **KEVIN K. LEE (Case No. 07-187)** of his **discharge**, effective April 6, 2007, from the position of Information Systems Manager I, Department of Public Health. Request to cancel hearing pending in this matter.
RECEIVED AND FILED – HEARING CANCELLED.

5. Communication received from Larry Minsky, attorney for the appellant, withdrawing the appeal of **HAROUT OHANNESSIAN (Case No. 07-032)** of his **discharge**, effective January 22, 2007, from the position of Children's Social Worker II, Department of Children and Family Services. Request to cancel hearing pending in this matter.
RECEIVED AND FILED – HEARING CANCELLED.

6. Communication received from Jody L. Klipple, Local 721, withdrawing the appeal of **CYNTHIA VIVEROS (Case No. 06-431)** of her **discharge**, effective October 2, 2006, from the position of Intermediate Clerk, Department of Health Services, Harbor-UCLA Medical Center, based on a settlement reached. Request to cancel hearing pending in this matter.
RECEIVED AND FILED – HEARING CANCELLED.

Unfinished Business (continued)

7. Request of **TOM MC KNIGHT (Case No. 07-185)** for a hearing on the decision of the Director of Personnel to deny his appeal of the **Appraisal of Promotability and rating from records scores** received in the examination for Carpenter Supervisor. Carried over from the meeting of August 15, 2007, in order for the department to respond to questions from the Commission. CARRIED OVER TO THE MEETING OF OCTOBER 17, 2007, AT THE REQUEST OF THE INTERNAL SERVICES DEPARTMENT, IN ORDER TO REVIEW AND RESPOND TO THE APPELLANT'S APPEAL OF HIS APPRAISAL OF PROMOTABILITY SCORE.

8. Request of **GHASSAN NAKHOUL (Case No. 07-229)** for a hearing on the decision of the Director of Personnel to deny his appeal of the **Appraisal of Promotability score** received in the examination for Civil Engineer. Carried over from the meeting of August 22, 2007, at the request of the parties in order to attempt settlement. (Authorized the Executive Director to receive and file a letter of withdrawal.) CARRIED OVER TO THE MEETING OF OCTOBER 3, 2007, AT THE REQUEST OF BLAINE J. MEEK, ATTORNEY FOR THE APPELLANT, IN ORDER FOR THE PARTIES TO CONTINUE TO ATTEMPT SETTLEMENT. AUTHORIZED THE EXECUTIVE DIRECTOR TO RECEIVE AND FILE A LETTER OF WITHDRAWAL.

New Business

Hearings requested on suspensions

9. Request of **LOUIS GONZALES (Case No. 07-331)** for a hearing on his thirty (30) day **suspension**, effective July 25, 2007, from the position of Fire Fighter Specialist, Fire Department.
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

10. Request of **MANUEL LEMOS (Case No. 07-114)** for a hearing on his **suspension** not to exceed thirty (30) days, effective March 1, 2007, from the position of Radiology Technician, Department of Health Services, Harbor-UCLA Medical Center.
CARRIED OVER TO THE MEETING OF OCTOBER 17, 2007, IN ORDER FOR THE DEPARTMENT TO RESCIND THE FEBRUARY 28, 2007, LETTER OF SUSPENSION.

11. Request of **GAYLYN WATERS (Case No. 07-335)** for a hearing on her **suspension** not to exceed thirty (30) days pending investigation, effective July 18, 2007, from the position of Nursing Attendant I, Department of Health Services, Harbor-UCLA Medical Center.
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

Hearing requested on reduction

12. Request of **JONTULUANNA BUTLER (Case No. 07-327)** for a hearing on her **reduction**, effective July 2, 2007, from the position of Children's Social Worker III to Eligibility Worker, Department of Children and Family Services.
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED. IN RESPONSE TO COMMUNICATION RECEIVED FROM THE DEPARTMENT TO PROTECT INFORMATION THAT WAS SUBMITTED AS PART OF THE APPELLANTS APPEAL, THE COMMISSION DIRECTED STAFF TO SEAL THE APPELLANT'S APPEAL LETTER AND ITS ATTACHMENTS, AND IF ANY MEMBER OF THE PUBLIC WISHES TO REVIEW IT, THE STAFF SHOULD CONTACT COUNTY COUNSEL. THE COMMISSION INSTRUCTED THE DEPARTMENT TO RAISE ANY APPROPRIATE EVIDENTIARY OBJECTION TO THE ASSIGNED HEARING OFFICER, BOTH AT THE PRE-HEARING CONFERENCE AND AT THE HEARING, AS NECESSARY TO PROTECT THE CONFIDENTIALITY OF ANY INFORMATION THE DEPARTMENT DEEMS CONFIDENTIAL UNDER WELFARE AND INSTITUTIONS CODE SECTION 827.

New Business (continued)

Hearings requested on examination appeals

13. Request of **THIERNO DIALLO (Case No. 07-249)** for a hearing on the decision of the Director of Personnel to deny his appeal of the **Appraisal of Promotability score** received in the examination for Civil Engineer.
HEARING DENIED BASED ON THE COMMISSION'S OPINION THAT THE APPELLANT IS NOT LIKELY TO PREVAIL.

14. Request of **CONRAD SANGALANG (Case No. 07-289)** for a hearing on the decision of the Director of Personnel to deny his appeal of the score received on the **written portion** of the examination for Intermediate Clerk, on his claim of discrimination.
HEARING DENIED BASED ON THE COMMISSION'S OPINION THAT THE APPELLANT IS NOT LIKELY TO PREVAIL. (THE DECISION IN THIS MATTER WAS BASED ON WRITTEN MATERIALS SUBMITTED - NO ONE APPEARED FOR THE APPELLANT.)

15. Request of **DAVID SHARKEY (Case No. 07-254)** for a hearing on the decision of the Director of Personnel to deny his appeal of the **Appraisal of Promotability score** received in the examination for Senior Civil Engineer.
HEARING DENIED BASED ON THE COMMISSION'S OPINION THAT THE APPELLANT IS NOT LIKELY TO PREVAIL.

Hearing requested on claim of discrimination

16. Request of **YVONNE PALACIOS (Case No. 07-245)** for a hearing on her **discharge**, effective May 9, 2007, from the temporary position of Student Professional Worker, Department of Health Services, Emergency Medical Services, on her claim of discrimination based on union activities.
HEARING DENIED BASED ON THE COMMISSION'S OPINION THAT THE APPELLANT IS NOT LIKELY TO PREVAIL.

New Business (continued)

Hearing requested on disqualification

17. Request of **DAVID J. HOLLAND (Case No. 07-236)** for a hearing on his **disqualification** in the examination for Deputy Sheriff Trainee.
HEARING DENIED BASED ON LACK OF JURISDICTION.

Miscellaneous

18. Opportunity for members of the public to address the Commission on items of interest that are within the subject matter jurisdiction of the Commission.
NO PUBLIC COMMENTS.

ADJOURNED TO CLOSED SESSION AT 10:58 A.M.

CLOSED SESSION

Consideration of confidential peace officer appeals pursuant to Copley Press.

Unfinished Business

19. Proposed decision to be rendered in the **suspension** not to exceed thirty (30) days following judgment of a criminal matter, effective July 3, 2003, of appellant **(Case No. 03-279)**, from the position of Deputy Sheriff, Sheriff's Department (Hearing Officer: Robert Bergeson).
ANNOUNCED AS THE PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER TO DISMISS THE APPEAL FOR LACK OF JURISDICTION.

20. Request of appellant **(Case No. 07-152)** for a hearing on the decision of the Director of Personnel to deny his appeal of the **Appraisal of Promotability score** received in the examination for Sergeant, Sheriff. Carried over from the meeting of August 8, 2007, at the request of both parties, in order to attempt resolution. Previously carried over from the meeting of July 25, 2007.
CARRIED OVER TO THE MEETING OF OCTOBER 3, 2007, AT THE REQUEST OF THE DEPARTMENT, IN ORDER TO RE-RATE THE APPELLANT'S APPRAISAL OF PROMOTABILITY AND RECALCULATE THE FINAL SCORE.

New Business

Hearing requested on suspension

21. Request of appellant **(Case No. 07-344)** for a hearing on her **suspension** not to exceed thirty (30) days following judgment of a criminal matter, effective July 10, 2007, from the position of Detention Services Officer, Probation Department.
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

CLOSED SESSION (continued)

New Business (continued)

Hearing requested on discharge

22. Request of appellant (**Case No. 07-330**) for a hearing on his **discharge**, effective June 23, 2007, from the position of Detention Services Officer, Probation Department.
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

Hearing requested on examination appeal

23. Request of appellant (**Case No. 07-247**) for a hearing on the decision of the Director of Personnel to deny her appeal of the **Appraisal of Promotability score** received in the examination for Supervising Deputy Probation Officer.
HEARING DENIED BASED ON THE COMMISSION'S OPINION THAT THE APPELLANT IS NOT LIKELY TO PREVAIL.

Hearing requested on disqualification

24. Request of appellant (**Case No. 07-281**) for a hearing on his **disqualification** in the examination for Senior Investigator, District Attorney.
HEARING DENIED BASED ON LACK OF JURISDICTION.

ADJOURNED CLOSED SESSION AND RECONVENED THE MEETING AT 11:41 A.M.

READ INTO THE RECORD AN ACCOUNTING OF ACTIONS TAKEN DURING CLOSED SESSION.

ADJOURNED THE MEETING AT 11:42 A.M.

Legal Advisor:
Halvor S. Melom

Chief, Commission Services:
Rochelle L. Williams

Head Commission Specialist:
Steve Erickson

APPROVED BY THE CIVIL SERVICE
COMMISSION ON SEPTEMBER 19, 2007

A handwritten signature in cursive script that reads "Lawrence D. Crocker". The signature is written in dark ink and is positioned above a horizontal line.

Lawrence D. Crocker
Executive Director